IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

Con.Case(C).No. 1751 of 2007(S)

AGAINST THE JUDGEMENT/ORDER IN WPC.31724/2007 Dated 26/10/2007

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PETITIONER/PETITIONER :

VIJAYAN, AGED 45 YEARS
S/O. KOPPAN, MULANGIL VEEDU
KANAYANNUR TALUK, THRIKKAKKARA VILLAGE
ERNAKULAM PIN 683 104.

BY ADV. SRI.R.REJI
SRI.B.BIPIN

RESPONDENTS: 2ND RESPONDENTS :

SUDHAKARAN, AGED 48 YEARS,
FATHERS NAME NOT TO THE PETITINER
SECRETARY, KALAMASSERY MUNICIPALITY.

BY ADV.SRI. M.K.ABOOBACKER.

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 11/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

C.O.C. No. 1751 OF 2007

Dated this the 11th day of December, 2007

JUDGMENT

Having regard to the submissions addressed at the Bar by Sri.Aboobacker, counsel for the Municipality who has taken notice on behalf of the respondent, I am of the view that the facts obtaining in this case will not justify invocation of any action for contempt against the respondent. A final order under Section 406(3) of the Municipalities Act has been passed against the party respondent in the Writ Petition directing demolition of his building. A copy of the final order is handed over by Sri.Aboobacker to the counsel for the petitioner. If the petitioner finds that the final order is not implemented even after a reasonable time, he can approach this court for appropriate relief. The Contempt Case is closed.

PIUS C. KURIAKOSE, JUDGE

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